

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

EPIC GAMES, INC.,

Plaintiff, Counter-
defendant

v.

APPLE INC.,

Defendant,
Counterclaimant.

Case No. 4:19-cv-03074-YGR

**[PROPOSED] ORDER RE: DEFENDANT
APPLE INC.'S ADMINISTRATIVE
MOTION TO PARTIALLY SEAL
PORTIONS OF THE PARTIES' TRIAL
EXHIBITS AND LIVE TRIAL TESTIMONY
RELATED THERETO**

Defendant Apple Inc. has filed an Administrative Motion to Partially Seal Portions of the Parties' Trial Exhibits and Live Trial Testimony Related Thereto (the "Motion"). In support, Defendant Apple Inc. ("Apple") filed the supporting declaration of Rachel S. Brass.

Having considered the Motion, all associated declarations, exhibits, and any argument of counsel, and for good cause appearing:

IT IS HEREBY ORDERED that the Motion is **GRANTED**. Accordingly:

- (1) To the extent the documents sought to be sealed by the Motion are introduced into evidence at trial, those documents shall remain under seal, for reasons articulated in the table below;
- (2) the Court shall temporarily limit public access to the trial proceedings to those present live in the courtroom while sealable information related to trial exhibits is being discussed; and
- (3) portions of the transcript related to such sealable information are additionally ordered sealed.

Trial Exhibit No.	Reason for Sealing and Evidence Offered in Support	Grant or Deny
DX-4178	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-9, 14. Contains confidential competitively sensitive information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 10-11, 14. Contains confidential third-party information that, if disclosed, would put innocent third parties at a competitive disadvantage. Brass Decl. ¶¶ 12-14.	
PX-0059	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-9, 14. Contains confidential competitively sensitive information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 10-11, 14. Contains confidential third-party information that, if disclosed, would put innocent third parties at a competitive disadvantage. Brass Decl. ¶¶ 12-14.	
PX-0201	Contains confidential third-party information that, if disclosed, would put innocent third parties at a competitive disadvantage. Brass Decl. ¶¶ 12-14.	
PX-0314	Contains confidential competitively sensitive information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 10-11, 14. Contains confidential third-party information that, if disclosed, would put innocent third parties at a competitive disadvantage. Brass Decl. ¶¶ 12-14.	

Trial Exhibit No.	Reason for Sealing and Evidence Offered in Support	Grant or Deny
PX-0413	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-9, 14.	
PX-0414	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-9, 14.	

IT IS SO ORDERED.

DATED: _____, 2021

The Honorable Yvonne Gonzalez Rogers
United States District Judge